

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 11
	:	
RONALD J. TRIPODO,	:	CASE NO. 10-87806-JEM
a/k/a Ron J. Tripodo,	:	
PATSY T. TRIPODO,	:	
	:	
Debtors.	:	
-----	:	
	:	
HSBC BANK NEVADA, N.A. Servicer for	:	
Best Buy Co. Inc.,	:	
Movant,	:	CONTESTED MATTER
v.	:	
RONALD J. TRIPODO, Debtor, and	:	
PATSY T. TRIPODO, Joint-Debtor,	:	
Respondents.	:	

SUPPLEMENTAL MOTION FOR RELIEF FROM STAY

COMES NOW, HSBC Bank Nevada, N.A. Servicer for Best Buy Co. Inc., ("Movant"), and pursuant to the provisions of Sections 362(a) and (f), 1303 and 105 of the Bankruptcy Code moves as follows:

1.

Debtors filed this petition for relief under Chapter 11 of the Bankruptcy Code.

2.

Movant holds a claim secured by a Personal Property.

3.

A Consent Order on Movant's Motion for Relief was entered on November 7, 2011, (the "Order"). Under the terms of said Consent Order, Debtors were to commence and maintain payments to the Creditor. No proof of timely plan payments has been received.

4.

Under the Terms of the Consent Order, cause exists to lift the stay for failure to maintain timely plan payments to the Creditor. Creditor referenced in paragraph 3 of this Motion.

5.

Movant brings this request pursuant to Sections 362(a) and (f), 1303, and 105 of the Bankruptcy Code and requests that an order issue lifting the automatic stay.

WHEREFORE, Creditor prays that it be granted relief as set forth above and that it have such other and further relief as is just.

Respectfully submitted,

/s/

Jesse D. Hachat, GA Bar no. 142281
Sicay-Perrow, Knighten & Bohan, P.C.
Suite 3475, Georgia-Pacific Center
133 Peachtree Street, N.E.
Atlanta, GA 30303
jdh@sicay-perrow.com
404-589-1832
404-589-1833 (facsimile)

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PATSY T. TRIPODO, Joint-Debtor,	:	
	:	
Respondents.	:	

CERTIFICATE OF SERVICE

This is to certify that I have this date served a copy of the foregoing DELINQUENCY MOTION, AFFIDAVIT, and PROPOSED ORDER upon the following persons by placing said copies in the United States Mail in a properly addressed and stamped envelope to:

Thomas Wayne Dworschak
Office of the U.S. Trustee
Room 362
75 Spring Street, SW
Atlanta, GA 30303

Ronald J. Tripodo
585 Estates Place
Longwood, FL 32779

Patsy T. Tripodo
585 Estates Place
Longwood, FL 32779

Herbert C. Broadfoot, II
Ragsdale, Beals, Seigler, et al
2400 International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303

This 4th day of January, 2012.

/s/
Jesse D. Hachat, GA Bar Number 142281

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Best Buy Co. Inc.,	:	
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PATSY T. TRIPODO, Joint-Debtor,	:	
Respondents.	:	

AFFIDAVIT

COMES NOW, Jesse D. Hachat, being an adult over eighteen (18) years of age, and hereby makes the following statement under penalty of perjury: Creditor's counsel has not been provided with any proof of plan payments to the Creditor subsequent to the Delinquency Motion served on December 22, 2011.

FURTHER AFFIANT SAYETH NAUGHT.

Sworn under penalty of perjury this 4th day of January, 2012.

/s/
Jesse D. Hachat, GA Bar no. 142281
Sicay-Perrow, Knighten & Bohan, P.C.
Suite 3475, Georgia-Pacific Center
133 Peachtree Street, N.E.
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Facsimile: 478-738-9652

David Sicay-Perrow (also admitted in TN)
Paul R. Knighten (also admitted in AL and MS)
Thomas F. Bohan (also admitted in MA)

Jesse D. Hachat
Maysoun B. Iqal, *of counsel*, (also admitted in IL and WI)

December 22, 2011

Ronald J. Tripolo
585 Estates Place
Longwood, FL 32779

RE: Consent Order entered: November 7, 2011
Chapter 13 Case: 10-87806-JEM
Our client: HSBC Bank Nevada, N.A. Servicer for Best Buy
Co. Inc.

Dear Mr. Tripolo:

Please be advised that you are in default on the above-referenced Consent Order, pursuant to which you were to maintain regular timely payments to the above referenced Creditor. According to the Creditor's records, you are delinquent in adequate protection payments in the approximate amount of \$1,000.00 consisting of November and including December, 2011 payments. Accordingly, within ten (10) days from the receipt of this letter, you must provide proof of payment of the entire delinquency by mailing said proof to the Atlanta mailing address indicated above, or via facsimile to 404-589-1833. If proof of payment is not forthcoming as outlined above, we will file a delinquency motion seeking relief from the automatic stay in accordance with the above-referenced order.

Sincerely,



Jesse D. Hachat

cc: Herbert C. Broadfoot, II
Ragsdale, Beals, Seigler, et al
2400 International Tower
229 Peachtree Street, N.E.
Atlanta, GA 30303